JAQUEZ & ASSOCIATES

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TO: HONORABLE COMMISSIONER FOR PATENTS AND TRADEMARKS - DEPOSIT ACCOUNT BRANCH	FROM: MARTIN J. JAQUEZ – JAQUEZ & ASSOCIATES		
FAX NUMBER: (571) 273-6500	DATE: MARCH 6, 2007		
COMPANY: U.S. PATENT AND TRADEMARK OFFICE	TOTAL NO. OF PAGES INCLUDING COVER:		
PHONE NUMBER	OUR REFERENCE NUMBER: VIA-018-CIP		
RE: APPLN. NO. 10/080,728	YOUR REFERENCE NUMBER.		
□ urgent □ for review □ please com	MENT □ PLEASE REPLY □ PLEASE RECYCLE		
NOTES/OOMMENTS:			

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PAGE 1/6 * RCVD AT 3/6/2007 3:46:12 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/2 * DNIS:2736500 * CSID:8584531280 * DURATION (mm-ss):02-24

Jaquez & Associates Intellectual Property Matters

6265 Greenwich Drive . Suite 100D . San Diego . Colifornia 92122

(858) 453-2004 • (858) 453-1280 (fax) • barbara@jaquez-associates.com

March 6, 2007

YIA FACSIMILE (NO. (571) 273-6500)

8584531280

Honorable Commissioner of Patents and Trademarks U.S. PATENT AND TRADEMARK OFFICE Deposit Account Branch P.O. Box 1450 Alexandria, VA 22313-1450

Re:

Inquiry into Discrepancies for Deposit Account No. 50-0490

for Application No. 10/080,728 Our Reference No.: VIA-018-CIP

Dear Sir or Madam:

Upon review of our Deposit Account Statement dated February 2007 for Account No. 50-0490, a discrepancy has been found and is described below.

On February 7, 2007, our account was charged \$180.00 for fee code 1806, for submitting an Information Disclosure Statement (attached). As can be seen by reviewing the attached IDS, no authorization to charge our deposit account was provided. The \$180 fee therefore was erroneously deducted from our deposit account. In addition, the deposit account was erroncously reduced balow a \$1,000 balance as noted in the attached request for refund dated March 5th, 2006. Therefore, the additional \$25 service charge was also erroneously deducted from our deposit account.

Therefore, please credit our deposit account, Deposit Account No. 50-0490, in the amount of \$205.00 (\$180.00 for the original IDS fee that was incorrectly charged, and \$25.00 for the erroneously assessed service charge) to refund the funds that were erroneously deducted from the deposit account. Please contact us at the numbers provided should you have any questions or concerns regarding this request. Your prompt assistance is greatly appreciated.

Sincerely,

JAOUEZ & ASSOCIATES

Enclosures

JAQUEZ & ASSOCIATES 6265 Greenwich Drive, Suite 100D San Dicgo, CA 92122 (858) 453-2004 (voice) (858) 453-1280 (fax) E-mail: marty@jaquez-essociates.com

VIA-018-CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Brian C. Benister Applicant

8584531280

App. No.

10/080,728

Filed

February 22, 2002

For

METHOD AND APPARATUS FOR IMPROVING TRANSMIT ANTENNA

WEIGHT TRACKING USING CHANNEL CORRELATIONS IN A WIRELESS

COMMUNICATION SYSTEM

Group Art

2611

Confirmation No.:

8379

Examiner.

Burd, Kevin Michael

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service with sufficient postage as firstclass mail to an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the subject application is hereby disclosed. Inclusion of information in this statement is not to be construct as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

- This Information Disclosure Statement is being filed after the receipt of a Final Office (X)Action in accordance with 37 CFR 1.97(d). The information submitted herewith was cited in applications related to the present application more than three months prior to the filing of this information disclosure statement. This information disclosure statement and the information contained herein is being submitted in accordance with 37 CFR 1.97 (d) and (h), and the undersigned hereby requests the Examiner to consider the information contained herein, and if not considered to place the information in the file for the abovereferenced patent application.
- (XX) According to 37 CFR 1.98(2), copies of the U.S. patent references listed on the attached Form SB-08A are not hereby submitted. All of the listed and attached references cited on Form SB-08B are in the English language.

Date: January 24, 2007

Respectfully submitted.

Signature Martin January Registration No. 38,060

JAQUEZ & ASSOCIATES 6265 Greenwich Drive, Strite 100D San Diego, CA 92122 (858) 453-2004 (voice) (858) 453-1280 (facsimile)

8584531280

Approved for use through 03/31/2007, OMB 0651-0031

	Con	o respond to a collection of information unless it contains a valid CMB control mu Complete if Known			
Substitute for form 1449/FTO	Application Number	10/080,728			
	Filing Date	February 22, 2002			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT	First Named Inventor	Brien Banister			
	Art Unit	2611			
(Use as many sheets as necessary)	Examiner Name	Burd, Kevin Michael			
eet 1 of 2	Altomey Docket Number	VIA-018-CIP			

			The Feetles Date	DOCUMENTS Name of Palamete or	Peges, Columns, Lines, Where
Exeminer Initials	₽ <u>.</u> 6	Document Number	Publication Date MIM-DD-YYYY	Applicant of Cred Document	Relevant Passages or Relevant Figures Appear
		Humber-Kind Code (Finance)			
	1	US- 6,141,567	10-2000	Yousselmir, et al.	
	2	^{US-} 6,144,711	11-2000	Raleigh, et al.	
	3	US- 6,473,467	10-2002	Wallage, et al.	
	4	^{US-} 6,888,809	05-2005	Foschini, et al.	
	5	US- 6,952,455	10-2005	Banister	
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*EXAMINER: Initial if reference considered, whether or not clipton is in conformance with NPEP 60% brow line brough citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). *See Kinds Codes of USPTO Patent Documents at generalization of the Politics that issued the document, by the two-tester code (WPO Standard ST.3). *For USPTO Patent Documents, the Indication of the year of the reign of the Emperor must proceed the social number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WPO Standard ST.16 if possible. *Applicant is to place a check mark here if English language Transition is attached.

Transistion is stached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the This collection of information is required to explication for the USPTO to process) an expectation. Confidentiating to governed by 38 U.S.C. 122 and 67 CFR 1.14. This collection is estimated in take 2 hours to complete to use the complete of the USPTO. Time will vary depending upon the individual case. Any combains including gathering, preparing, and submitting the complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent on the smount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

To: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-785-9199) and select option 2.

8584531280



PTC/SB/188 (09-06)
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U.S. Petent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1996, no persons and Substitute for form 1449/PTO			t of 1996, no persons to	e required to respond to a callection of information unless it contains a valid OMB control number. Complete if Known			
Sana	18 for torm 144 9/P i	0	•	Application Number	10/080,728	_	
INFORMATION DISCLOSURE				Filing Date	February 22, 2002		
STATEMENT BY APPLICANT		First Named Inventor	Banister				
			Art Unit	2611			
	(Use as many	zhoete as n	ocessary)	Examiner Name	Burd, Kevin Michael		
Sheet	2 .	of	2	Attorney Docket Number	VIA-018-CIP		

Examiner	Cite	NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of	
Initials*	No.1.	the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
-	6	Heath, et al., "A Simple Scheme for Transmit Diversity Using Partial Channel Feedback", Information Systems Laboratory, IEEE, 1998, pp. 1073-1078.	
	7	Gerlach, et al., "Base Station Transmitting Antenna Arrays for Multipath Environments", Signal Processing, Vol. 54, No. 1, published by Elsevier, October 1996, pp. 59-73.	
	8	Gerlach, "Adaptive Transmitting Antenna Arrays with Feedback", IEEE 1994, pp. 150-152	
	9	Gerlach, "Adaptive Transmitting Antenna Methods for Multipath Environments", IEEE, Globecom, 1994, pp. 425-429, vol. 1.	
	10	Derryberry, et al., "Transmit Adaptive Arrays without User Specific Pilot", 3GPP2-C30-19990817-030, Portland, Oregon, 8/16-20, 1999, pp. 1-4.	
•	11	Harrison, "TX AA Parameter Recommendations", 3GPP2-C30-19990914-010, Tokyo, Japan, September 14, 1999, pp. 1-3.	

Financia d	I Date	
Examiner	Date	
Signature -	Considered	

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*EXAMINER: Initial it reference considered, whether or not clusten is in conformance with MPEP 609. Draw line through classon if not in communication to applicant, and include capy of this form with next communication to applicant.

1 Applicant's unique classion destignation reunbor (options). 2 Applicant is to piece a check mark here if English language Translation is ottoched.

This collection of information is required by 37 CFR 1,98. The information is required to obtain or retain a benefit by the public which is to 60 cland by the USPTO to process an application. Coordinatisting is government by 35 U.S.C. 122 and 37 CFR 1,14. This collection is estimated to take 2 hours to complete, including gettraring, preparing, and submitting the completes explication form to the USPTO. These will vary depending upon the individual cases. Any comments on the amount of time your require to complete this form ancier suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-785-9199) and select option 2.



Jaques & Associates Intellectual Property Matters

6265 Groenwich Drive . Suite 100D . San Diego . California 92122

March 5, 2007

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VIA FACSIMILE (NO. (571) 273-6500)

Honorable Commissioner of Patents and Trademarks U.S. PATENT AND TRADEMARK OFFICE Deposit Account Branch P.O. Box 1450 Alexandria, VA 22313-1450

Re: Inquiry into Discrepancies for Deposit Account No. 50-0490 for Application No. 10/658,154 Our Reference No.: PBR-005-PAP

Dear Sir or Madam;

Upon review of our Deposit Account Statement dated January 31, 2007 for Account No. 50-0490, a discrepancy has been found and is described below. For the reasons set forth below, we respectfully request a refund be credited to our deposit account.

On January 9, 2007, our deposit account was charged \$750.00 for a petition fee for our application no. 10/658,154. However, this payment was made by check no. 2283 with the petition as filed on January 4, 2007. A subsequent service charge in the amount of \$25,00 was charged to our deposit account because the erroneous \$750 fee reduced our deposit account balance to an amount which fell below \$1000.

Therefore, please credit our deposit account, Deposit Account No. 50-0490, in the amount of \$775.00 (\$750.00 for the original petition fee which was paid by check, and \$25.00 for the erroneously assessed. service charge) to refund the funds that were erroneously deducted from the deposit account. Please contact us at the numbers provided should you have any questions or concerns regarding this request. Your prompt assistance is greatly appreciated.

Sincerely,

Enclosures

JAQUEZ & ASSOCIATES 6265 Greenwich Drive, Suite 100D San Diego, CA 92122 (858) 453-2004 (vaice) (858) 453-1280 (fbx) E-mail: barbara@jaquez-associates.com Document code: WFEE

United States Patent and Trademark Office Sales Receipt for Accounting Date: 02/07/2007

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